

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

ROBERTO ESTRADA MONTEZ §
§
v. § CIVIL ACTION NO. 2:15-cv-27
§
GL TRUCKING, LLC AND TERRY §
ANDREW DERRICK §

DEFENDANTS' NOTICE OF REMOVAL TO FEDERAL COURT

TO THE HONORABLE JUDGE OF SAID COURT:

GL TRUCKING, LLC and TERRY ANDREW DERRICK, hereinafter referred to as Defendants, file this, their Notice of Removal, and in support thereof show:

I.

On or about January 30, 2015, Plaintiff Roberto Estrada Montez filed a lawsuit in the 365th Judicial District, Maverick County, Texas against Defendants, GL Trucking, LLC and Terry Andrew Derrick styled *Roberto Estrada Montez v. GL Trucking, LLC and Terry Andrew Derrick*, Cause No. 15-01-30681-MCVAJA. Defendants were served with pleadings in this particular matter on or about February 12, 2015.

II.

Defendants' Original Answer is being filed concurrently with this Notice of Removal in Federal Court.

III.

This case is removable as a result of the fact that the Plaintiff has sued for personal injury damages arising out of a motor vehicle accident with Terry Derrick who was working for GL Trucking, LLC. Terry Derrick is a citizen of Mississippi. GL Trucking, LLC, a Mississippi limited liability company is a citizen of Mississippi. Plaintiff asserted in Plaintiff's original

Petition that his damages exceed \$75,001, and he seeks damages in excess of \$1,000,000. According to Plaintiff's petition, he is a resident of Texas.

IV.

At all times material to this case, GL Trucking, LLC was a limited liability company with its principle place of business located in the state of Mississippi.

V.

As a result of all of the above facts, removal of this particular matter is appropriate pursuant to the federal diversity statute allowing for removal found at 28 U.S.C. § 1332. In this particular case, Plaintiff seeks damages in an amount exceeding \$1,000,000. Defendants are citizens of the state of Mississippi and Plaintiff is a citizen of Texas, thus meeting the complete diversity requirements of the Federal Rules of Civil Procedure related to removal of actions based upon diversity of citizenship.

VI.

Defendants have filed this notice of removal within thirty days of Defendants' receipt of a copy of the Plaintiff's original petition from which Defendants could ascertain that this matter is removable.

VII.

Venue in this particular district is proper since the Western District of Texas, Del Rio Division incorporates Maverick County, Texas within its jurisdictional boundaries. See 28 U.S.C. § 1331(b)(2).

VIII.

Defendants' notice of removal is procedurally correct.

IX.

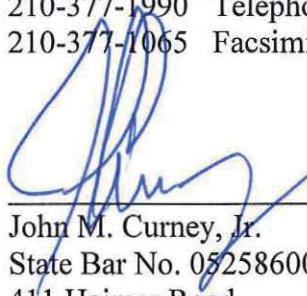
A copy of the Plaintiff's original petition, which is the only document that has been filed at this time in the Maverick County, Texas District Court, is attached hereto and incorporated herein by reference.

WHEREFORE, Defendants GL Trucking, LLC and Terry Andrew Derrick request that this Notice of Removal be deemed sufficient and that proceedings attached hereto be removed to this Honorable Court and placed on the docket at the time of removal.

Respectfully submitted,

CURNEY, FARMER, HOUSE & OSUNA, P.C.
411 Heimer Road
San Antonio, TX 78232-4854
210-377-1990 Telephone
210-377-1065 Facsimile

Date: 3/2/2015

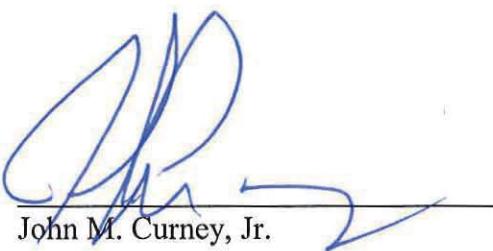

John M. Curney, Jr.
State Bar No. 05258600
411 Heimer Road
San Antonio, Texas 78232
jurney@cfholaw.com
(210) 377-1990

Attorney for Defendants

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served on the following through the electronic filing manager, by mail, by commercial delivery service, by fax, by email, or by such other manner as directed by the court on the 2nd day of March, 2015.

Michael R. Cowen
Malorie Peacock
The Cowen Law Group
62 E. Price Road
Brownsville, Texas 78521
Attorney for Plaintiff



John M. Curney, Jr.

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Maverick County, Texas
By: M Cazares, Deputy

15-01-30681-MCVAJA

CAUSE NO. _____

ROBERTO ESTRADA MONTEZ

VS.

GL TRUCKING, LLC AND TERRY
ANDREW DERRICK

IN THE DISTRICT COURT

365TH JUDICIAL DISTRICT

MAVERICK COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION (WITH DISCOVERY)

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff Roberto Estrada Montez files this Plaintiff's Original Petition, complaining of Defendants Terry Andrew Derrick and GL Trucking, LLC. For cause of action, Plaintiff would show the Honorable Court as follows:

I.

DISCOVERY CONTROL PLAN

Plaintiff intends to conduct discovery pursuant to a level three discovery control plan.

II.

PARTIES

2 Plaintiff Roberto Estrada Montez is an individual residing in Texas.

3 Defendant Terry Andrew Derrick resides in Monroe County, Mississippi and pursuant to Tex.

4 Civ. Prac. & Rem. Code Section 17.062(a), may be served by serving Ted Houghton, the Chairperson of the Texas Transportation Commission at 125 E. 11th Street, Austin, Texas 78701-2483, who can forward process to Defendant at 50632 Old Highway 25, Aberdeen, MS 39730.

Defendant GL Trucking, LLC is a limited liability company doing business in Texas and may be served through its registered agent for service of process in Texas John C. Sims at 1205 Broadway, Lubbock, TX 79408.

III.

VENUE

5 Venue is proper in Maverick County because all or a substantial part of the events or

omissions giving rise to this claim occurred in the county. Texas Civ. Prac. & Rem. Code § 15.002(a)(1).

IV.

FACTS

6 Defendant GL Trucking, LLC is a motor carrier licensed by and registered with the Federal Motor Carrier Safety Administration. Defendant hired, qualified, and retained Terry Andrew Derrick as a truck driver. At all times relevant to this lawsuit, Defendant Terry Andrew Derrick was acting in the course and scope of his actual and/or statutory employment with Defendant GL Trucking, LLC.

7 On or about April 14, 2014, Roberto Estrada Montez was involved in a collision with Defendants' vehicle in Eagle Pass, Texas. Defendant Terry Andrew Derrick rear-ended the vehicle in which Plaintiff was riding. As a result of this collision, Plaintiff sustained substantial personal injuries.

V.

CAUSE OF ACTION

8 Defendant Terry Andrew Derrick was negligent in the operation of the tractor-trailer. Specifically, Defendant Terry Andrew Derrick negligently failed to control his speed, was not paying attention, and rear-ended the vehicle Plaintiff was driving. As a direct and proximate result of this negligence, Plaintiff sustained personal injuries. Defendant GL Trucking, LLC is vicariously liable for the negligence of Defendant Terry Andrew Derrick under the statutory employment doctrine as well as the doctrine of respondeat superior.

9 Based on the facts of this wreck, it appears that Defendant Terry Andrew Derrick may have been fatigued or driving in violation of the hours-of-service regulations. It further appears that Defendant GL Trucking, LLC may have been negligent in its entrustment of a tractor-trailer to Defendant Terry Andrew Derrick, and in the qualification, hiring, training, supervision, and retention of Defendant Terry Andrew Derrick.

VI.

DAMAGES

Plaintiff seeks to recover the following elements of damages, which were proximately caused by Defendants' negligence:

1. Medical care, past and future;
2. Lost wages and earning capacity, past and future;
3. Physical impairment, past and future;
4. Physical pain, emotional distress, and mental anguish, past and future; and
5. Disfigurement, past and future.

Plaintiff also seeks to recover prejudgment interest, post-judgment interest, and court costs. Plaintiff's damages exceed the Court's jurisdictional minimum and exceed \$75,001.00. Pursuant to Texas Rule of Civil Procedure 47(c), Plaintiff seeks monetary relief of over \$1,000,000.00.

VII.

REQUEST FOR DISCLOSURE

Defendants are requested to disclose, within 50 days of service of this request, the information or material described in Rule 194.2(a)-(l) of the Texas Rules of Civil Procedure.

VIII.

INTERROGATORIES TO DEFENDANT TERRY ANDREW DERRICK

Plaintiff, pursuant to Tex. R. Civ. Procedure 196 and 197 propounds the following Interrogatories to Defendant Terry Andrew Derrick. Defendant's response is due within fifty (50) days from the date of service thereof. Plaintiff also requests that Defendant continue to supplement Defendant's responses to these Interrogatories as provided for by the Rules.

Interrogatory 1. Please state how you contend the collision in question occurred.

RESPONSE:

Interrogatory 2. Please state the positions held, general job descriptions, and lengths of employment of Terry Andrew Derrick at the time of the collision in question.

RESPONSE:

Interrogatory 3. Please state the full extent of any training, education, or experience concerning driving techniques or principles Terry Andrew Derrick has

RESPONSE: received.

Interrogatory 4. Was Terry Andrew Derrick acting in the course and scope of his employment with GL Trucking, LLC at the time of the collision made the basis of this lawsuit? If you are contending that Terry Andrew Derrick was not acting in the course and scope of employment for GL Trucking, LLC at the time of the collision, please state exactly why you are making such contention.

RESPONSE:

Interrogatory 5. If the vehicle driven by Terry Andrew Derrick that was involved in the collision in question was not owned by you, please state the vehicle owner's name, address and telephone number.

RESPONSE:

Interrogatory 6. Please list all traffic accidents in which Terry Andrew Derrick has been involved, including the location, city, county, state and any violations for which he was cited in connection with any traffic accidents.

RESPONSE:

Interrogatory 7. Please give a description of all traffic violations for which Terry Andrew Derrick has been cited, including the date, city, county, state, offense alleged and ultimate disposition of such citation.

RESPONSE:

Interrogatory 8. With respect to collisions or accidents involving one of GL Trucking, LLC's vehicles and/or a driver employed by you or under contract with GL Trucking, LLC, please state:
a. When the driver is required to make a report and to whom;
b. A description of any written report required to be made by any person with GL Trucking, LLC and/or the driver;
c. Where and in whose custody such reports are kept;
d. When a driver must submit for a drug test by giving a urine sample; and
e. When such report must be reported to the federal government.

RESPONSE:

Interrogatory 9. Did Terry Andrew Derrick receive any citations or tickets as a result of the collision in question? If so, what was the outcome? If Terry Andrew Derrick paid the ticket, did Terry Andrew Derrick plead guilty? What court did Terry Andrew Derrick have to appear in or call to resolve the citation or ticket?

RESPONSE:

Interrogatory 10. Do you contend that someone other than Terry Andrew Derrick (including but not limited to Plaintiff) did or failed to do something that contributed to the wreck made the basis of this lawsuit? If so, please state what you claim that person did or failed to do, or how the action or inaction caused or contributed to the wreck.

RESPONSE:

Interrogatory 11. Please state the date on which you first subjectively believed that there was a substantial chance that litigation would arise from the wreck made the basis of this lawsuit? What facts gave rise to your subjective belief?

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RESPONSE:

Interrogatory 12: What does GL Trucking, LLC do to review drivers' logs to determine whether they are accurate and whether they comply with the hours-of-service regulations? If GL Trucking, LLC uses any type of computer program or third-party service to audit logs, please identify the program or service.

RESPONSE:

Interrogatory 13: Does GL Trucking, LLC use any type of GPS system or other computerized device (such as OmniTRACS, Qualcomm or XATA) to monitor the movements and/or speed of its tractors and/or trailers? If so, please describe the system or device, including its name, what data is generated, where the data is stored, and how long the data is retained.

RESPONSE:

Interrogatory 14: For any cell phone used by or issued to Terry Andrew Derrick during the time period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck, please identify the cell phone carrier and the cell phone number.

RESPONSE:

IX.

INTERROGATORIES TO DEFENDANT GL TRUCKING, LLC

13 Plaintiff, pursuant to Tex. R. Civ. Procedure 196 and 197 propounds the following Interrogatories to Defendant GL Trucking, LLC. Defendant's response is due within fifty (50) days from the date of service thereof. Plaintiff also requests that Defendant continue to supplement its responses to these Interrogatories as provided for by the Rules.

Interrogatory 1. Please state how you contend the collision in question occurred.

RESPONSE:

Interrogatory 2. Please state the positions held, general job descriptions, and lengths of employment of Terry Andrew Derrick at the time of the collision in question.

RESPONSE:

Interrogatory 3. Please state the full extent of any training, education, or experience concerning driving techniques or principles Terry Andrew Derrick has received.

RESPONSE:

Interrogatory 4. Was Terry Andrew Derrick acting in the course and scope of his employment with GL Trucking, LLC at the time of the collision made the basis of this lawsuit? If you are contending that Terry Andrew Derrick was not acting in the course and scope of employment for GL Trucking, LLC at the time of the collision, please state exactly why you are making such contention.

RESPONSE:

Interrogatory 5. If the vehicle driven by Terry Andrew Derrick that was involved in the collision in question was not owned by you, please state the vehicle owner's

RESPONSE: name, address and telephone number.

Interrogatory 6. Please list all traffic accidents in which Terry Andrew Derrick has been involved, including the location, city, county, state and any violations for which he was cited in connection with any traffic accidents.

RESPONSE:

Interrogatory 7. Please give a description of all traffic violations for which Terry Andrew Derrick has been cited, including the date, city, county, state, offense alleged and ultimate disposition of such citation.

RESPONSE:

Interrogatory 8. With respect to collisions or accidents involving one of GL Trucking, LLC's vehicles and/or a driver employed by you or under contract with GL Trucking, LLC, please state:

- a. When the driver is required to make a report and to whom;
- b. A description of any written report required to be made by any person with GL Trucking, LLC and/or the driver;
- c. Where and in whose custody such reports are kept;
- d. When a driver must submit for a drug test by giving a urine sample; and
- e. When such report must be reported to the federal government.

RESPONSE:

Interrogatory 9. Did Terry Andrew Derrick receive any citations or tickets as a result of the collision in question? If so, what was the outcome? If Terry Andrew Derrick paid the ticket, did Terry Andrew Derrick plead guilty? What court did Terry Andrew Derrick have to appear in or call to resolve the citation or ticket?

RESPONSE:

Interrogatory 10. Do you contend that someone other than Terry Andrew Derrick (including but not limited to Plaintiff) did or failed to do something that contributed to the wreck made the basis of this lawsuit? If so, please state what you claim that person did or failed to do, or how the action or inaction caused or contributed to the wreck.

RESPONSE:

Interrogatory 11. Please state the date on which you first subjectively believed that there was a substantial chance that litigation would arise from the wreck made the basis of this lawsuit? What facts gave rise to your subjective belief?

RESPONSE:

Interrogatory 12. What does GL Trucking, LLC do to review drivers' logs to determine whether they are accurate and whether they comply with the hours-of-service regulations? If GL Trucking, LLC uses any type of computer program or third-party service to audit logs, please identify the program or service.

RESPONSE:

Interrogatory 13. Does GL Trucking, LLC use any type of GPS system or other computerized device (such as OmniTRACS, Qualcomm or XATA) to monitor the movements and/or speed of its tractors and/or trailers? If so, please describe the system or device, including its name, what data is generated, where the

RESPONSE: data is stored, and how long the data is retained.

Interrogatory 14: For any cell phone used by or issued to Terry Andrew Derrick during the time period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck, please identify the cell phone carrier and the cell phone number.

RESPONSE:

X.

REQUESTS FOR PRODUCTION TO ALL DEFENDANTS

Pursuant to Rule 196, Texas Rules of Civil Procedure, Plaintiff requests that, within the time prescribed by law, Defendants Terry Andrew Derrick and GL Trucking, LLC produce and permit Plaintiff to inspect and copy the documents and things described in the requests below, and as instructed below. Plaintiff requests that Defendants produce the documents at the office of The Cowen Law Group, 62 E. Price Road, Brownsville, Texas 78521.

1. Any and all documents, including but not limited to invoices, repair bills or estimates, reflecting the damage to any vehicle involved in the collision in question.

RESPONSE:

2. Any and all photographs, videotapes, or other depictions of any vehicle involved in the collision in question.

RESPONSE:

3. Any and all photographs of the scene of the collision in question.

RESPONSE:

4. Any and all photographs that you intend to use at trial.

RESPONSE:

5. Any and all photographs, videotapes or other depictions of Plaintiff.

RESPONSE:

6. Any and all photographs, videotapes or other depictions of Terry Andrew Derrick.

RESPONSE:

7. Any and all witness statements.

RESPONSE:

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8. Any and all statements from Plaintiff.

RESPONSE:

9. Any and all statements from any Defendant, Defendant's agents or employees relating to the incident in question.

RESPONSE:

10. Any and all documents related to Terry Andrew Derrick's employment with GL Trucking, LLC.

RESPONSE:

11. Any and all documents related to the maintenance, repair, acquisition, loads, operation or travel of the vehicle involved in the collision in question. These documents should include, but are not limited to, trip sheets, fuel receipts, work orders, bills of lading, maintenance records, operations manuals, vehicle condition reports and other documents obtained regarding the vehicle.

RESPONSE:

12. Produce any and all documents regarding any unemployment claim, worker's compensation claim or any other type of claim filed by Terry Andrew Derrick relating to his employment with GL Trucking, LLC.

RESPONSE:

13. Any and all pictures, drawings, photographs or videotapes in your possession or subject to your control that are relevant and material to this cause of action, including but not limited to those showing the Plaintiffs, those showing any of the vehicles, or any part of the vehicles, involved in the collision in question, or those showing the location of such collision.

RESPONSE:

14. Any information relating to any conviction to be used for impeachment purposes against any party, witness, and/or person with knowledge of facts named in discovery information provided to you before trial. Please include the name of the person convicted, the offense for which he or she was convicted, the year of such conviction, the court of such conviction and the sentence involved.

RESPONSE:

15. Any written, taped or mechanically reproduced statement heretofore made of Plaintiff, Defendants, and/or Defendants' agents or employees.

RESPONSE:

16. Any records or documentation (medical or non-medical) concerning Terry Andrew Derrick that would indicate whether Terry Andrew Derrick was using alcohol and/or drugs (including prescription or nonprescription, legal or illegal drugs) within forty-eight (48) hours prior to the collision in question.

RESPONSE:

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17. Any records or documentation (medical or non-medical) concerning Terry Andrew Derrick that would indicate that he had alcohol and/or drugs (including prescription or nonprescription, legal or illegal), or metabolites of alcohol and/or drugs (including prescription or nonprescription, legal or illegal) in the bloodstream or urine at the time of or the time following the collision in question.

RESPONSE:

18. Any records or documentation (medical or non-medical) that would indicate that Terry Andrew Derrick was a regular user of any illegal substance(s) within one (1) year preceding the collision in question.

RESPONSE:

19. A photostatic copy of the front and back of Terry Andrew Derrick's current driver's license and any commercial license.

RESPONSE:

20. A copy of any company vehicle use records for the one hundred eighty (180) days preceding and including the date of the collision in question.

RESPONSE:

21. Any documentation concerning Terry Andrew Derrick involving disciplinary actions, demerits, reprimands or incidents indicating less than satisfactory job performance.

RESPONSE:

22. All manuals, instructions, guidelines, directives, or memoranda concerning the performance or execution of the position held by Terry Andrew Derrick at the time of the collision in question.

RESPONSE:

23. All records, notes, files, memoranda, or other similar documentation indicating an awareness on your part that Terry Andrew Derrick was an unsafe driver.

RESPONSE:

24. All documents relating to reservation of rights or denial of coverage on the part of any insurance carrier for any of the named defendants with respect to this claim.

RESPONSE:

25. If you contend that you had a good faith belief to reasonably anticipate that there was a substantial chance that litigation would ensue on behalf of Plaintiff prior to the date you received notice of this lawsuit, please produce all correspondence, memoranda, statements, tape recordings, transcripts of tape recordings, wire reports, investigation reports, close-out reports, summaries or any other documents, as well as any other tangible things that you contend showed an outward manifestation that would indicate that there was a substantial chance that litigation would ensue.

RESPONSE:

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26. Any reports, memoranda, documents or materials of any type which specifically indicate a date or occurrence on which you rely for any contention that you had a good faith belief to reasonably anticipate that there was a substantial chance that litigation would ensue concerning any injury or damages claimed on behalf of Plaintiff.

RESPONSE:

27. Any insurance policies that provide, or may provide, coverage for the collision in question.

RESPONSE:

28. Any reservation of rights letters or non-waiver agreements.

RESPONSE:

29. Any cell phone bills that would show whether or not Terry Andrew Derrick was using a cell phone on the date of the wreck. This request includes, but is not limited to, cell phone bills for the day of the wreck.

RESPONSE:

30. All cell phone bills and records for any cell phone used by Terry Andrew Derrick for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.

RESPONSE:

31. Provide all GPS and other electronic data and records, including but not limited to all Qualcomm Satellite Communication tracking information showing the location of the truck in the incident at issue in this lawsuit for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.

RESPONSE:

32. All expense receipts and reports submitted by Terry Andrew Derrick for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.

RESPONSE:

33. All incident reports generated by Terry Andrew Derrick or GL Trucking, LLC regarding the collision at issue in this lawsuit.

RESPONSE:

34. If, during the time period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck, Terry Andrew Derrick drove a truck and/or trailer different than the ones at issue in this lawsuit, provide all GPS and other electronic data and records, including but not limited to all Qualcomm Satellite Communication and OmniTRACS tracking information showing the location of the truck and trailer driven by Terry Andrew Derrick for that time period.

RESPONSE:

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35. Terry Andrew Derrick's log books for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.

RESPONSE:

36. GL Trucking, LLC's complete driver qualification file on Terry Andrew Derrick.

RESPONSE:

37. All personnel files, accident files, and other files and documents that GL Trucking, LLC maintains or possesses regarding Terry Andrew Derrick.

RESPONSE:

38. All fuel receipts, bills of lading, weigh tickets, and toll receipts for any vehicle operated by Terry Andrew Derrick during the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.

RESPONSE:

39. All Qualcomm records and data regarding any vehicle operated by Terry Andrew Derrick, and any communications to and from Terry Andrew Derrick, for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.

RESPONSE:

40. All documents and data that shows the speed, location, ignition status, brake status, acceleration, deceleration, sudden stops, and other information regarding any vehicle operated by Terry Andrew Derrick during the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck. The scope of this request includes, but is not limited to, "black box" data, crash data recorders, OmniTRACS data, Qualcomm data, GPS data, XATA data, JETT-Track, DriveOk, FleetMatics, Fleet Management Solutions, Fleetilla, Shadow Tracker, Trimble, and any other data source.

RESPONSE:

41. All monthly log summary sheets for Terry Andrew Derrick for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.

RESPONSE:

42. All notice of logging violations for Terry Andrew Derrick for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.

RESPONSE:

43. The accident register for GL Trucking, LLC.

RESPONSE:

44. All safety performance history records regarding Terry Andrew Derrick.

RESPONSE:

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45. All driver's vehicle inspection reports completed by Terry Andrew Derrick for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.

RESPONSE:

46. All pretrip check lists completed by Terry Andrew Derrick for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.

RESPONSE:

47. The vehicle accident kit issued to Terry Andrew Derrick.

RESPONSE:

48. An exemplar blank vehicle accident kit used by GL Trucking.

RESPONSE:

49. All dispatch and trip reports regarding any vehicle operated by Terry Andrew Derrick for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.

RESPONSE:

50. All trip cost report envelopes for any vehicle operated by Terry Andrew Derrick for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.

RESPONSE:

51. All OmniTRACS data regarding any vehicle operated by Terry Andrew Derrick for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.

RESPONSE:

52. Copies of all documents obtained by deposition on written question or subpoena.

RESPONSE:

53. All documents regarding any audits or examinations performed of GL Trucking, LLC by any state or federal agency, including but not limited to any state department of transportation, any state department of motor vehicle, the U.S. Department of Transportation, and the Federal Motor Carrier Safety Administration.

RESPONSE:

54. Any and all website social media content obtained by you and/or your agents pertaining to any account owned, operated or maintained by Roberto Estrada Montez and/or his family or friends including any videos, photographs, posts, messages, comments, and statuses.

RESPONSE:

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55. Any and all internet photo, still image or video sharing website content obtained by you and/or your agents pertaining to any account owned, operated or maintained by Roberto Estrada Montez and/or his family or friends including any videos, photographs, posts, messages, comments, and statuses.

RESPONSE:

56. Any and all blog or internet message board, chat room or public forum content obtained by you and/or your agents pertaining to any account owned, operated or maintained by Roberto Estrada Montez and/or his family or friends including any videos, photographs, posts, messages, comments, and statuses.

RESPONSE:

57. Any and all raw and/or edited surveillance footage taken of Roberto Estrada Montez and/or his family or friends including digital or printed photographs, video recording or audio recording taken by you and/or your agents.

RESPONSE:

XI.

PRAYER

15 WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that citation be issued and Defendants be served, and upon trial on the merits the Court enter judgment for Plaintiff and against Defendants, jointly and severally, for actual damages, together with prejudgment interest, postjudgment interest, and court costs.

Respectfully submitted,

Malorie Peacock

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Malorie Peacock
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